

## REMARKS

Claims 14-15, 17-21 and 24-26 are pending in the present application. Claims 14, 21 and 24 were amended in this response. Claims 16, 22 and 23 were canceled, without prejudice. No new matter was introduced as a result of the amendments. Support for the amendments may be found, for example, in paragraph [0010]. Favorable reconsideration is respectfully requested. .

Claims 14, 15, 17-19, 21, 22 and 24-26 were rejected under 35 U.S.C. §102(b) as being anticipated by *Capitant et al.* (US. Patent 6,976,011).

Claims 16 and 23 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Laumen et al.* (US. Pub. 20060135117) in view of *Pailles* (US. Pub. 20040083166).

Claim 20 was rejected under 35 U.S.C. §103(a) as being unpatentable over *Laumen et al.* (US. Pub. 20060135117) in view of *Sivula* (US. Patent 6,907,239). The applicants respectfully traverse these rejections for the following reasons.

Specifically, the cited art, alone or in combination, fails to teach or suggest the features of “transmitting, in response to the request, at least one message generated by the user identification device to the device for providing the paying services, wherein the at least one message is formulated as a command of a command set implemented in the user identification device as specified in one of an SIM Application Toolkit, a USIM Application Toolkit and a Card Application Toolkit” as recited in claim 14, and similarly recited in claims 21 and 24.

*Capitant* generally discloses the use of a SIM card to store and send data (col. 1, lines 18-27; col. 6, lines 51-56). However, *Capitant* provides no teaching of configuring the SIM to message the device for providing paying services via Application Toolkits. In *Capitant*, the SIM merely provides identity and key information before a request is generated (col. 7, lines 19-27 32-36, 62-67; col. 8, lines 33-43). Furthermore, *Capitant* fails to teach or suggest the creating of paid services in an independent network.

Neither *Laumen* nor *Pailles* solve the deficiencies of *Capitant*, discussed above. More importantly, *Laumen* is not prior art to the present application. The cited *Laumen* reference (page 6, paragraph 2) is actually the present application (10/529,031). Regarding *Pailles*, the reference generally discloses a SIM application toolkit, but fails to address any of the other features recited in the present claims. Nevertheless, due to the deficiency of *Laumen*, Applicant respectfully submits the rejection is improper and should be withdrawn.

In light of the above, Applicants respectfully submit that claims 14-15, 17-21 and 24-26 are both novel and non-obvious over the art of record. Accordingly, Applicants respectfully request that a timely Notice of Allowance be issued in this case. If any additional fees are due in connection with this application as a whole, the Examiner is authorized to deduct such fees from deposit account no. 02-1818. If such a deduction is made, please indicate the attorney docket no. (0112740-1059) on the account statement.

Respectfully submitted,

BELL, BOYD & LLOYD LLC

BY 

Peter Zura  
Reg. No. 48,196  
Customer No. 29177  
Phone: (312) 807-4208

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